IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

SPECIAL CIVIL APPLICATION No 5149 of 1998

For Approval and Signature:

Hon'ble MR.JUSTICE S.K.KESHOTE

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1. Whether Reporters of Local Papers may be allowed to see the judgements? : NO

2. To be referred to the Reporter or not? : NO

3. Whether Their Lordships wish to see the fair copy of the judgement? : NO

4. Whether this case involves a substantial question of law as to the interpretation of the Constitution of India, 1950 of any Order made thereunder? : NO

5. Whether it is to be circulated to the Civil Judge? : NO

AK ENTERPRISE

Versus

VAPI MUNICIPALITY

Appearance:

None present for Petitioner

None present for Respondent No.1

MR MA BUKHARI for Respondent No.2

CORAM : MR.JUSTICE S.K.KESHOTE

Date of decision: 28/06/2000

ORAL JUDGEMENT

On 23.7.98 this court has passed the following order :-

"Heard Ld. advocate appearing for the petitioner, who has submitted that the concerned

authority before whom the appeal against the order of the Collector is preferred by the present petitioner, should decide the appeal at the earliest. Mrs. Gajjar, Ld. AGP appearing for the State submits that, before passing any interim direction to the respondents, the petitioner should wait for the result of the appeal which he has preferred.

Looking to the facts available on record, if the Respondent No.4 is directed to decide the appeal within a reasonable period of time, the ends of justice would be met with. The Respondent No.4 is directed to deal and decide the appeal, after giving an opportunity of hearing to the petitioner at the earliest, preferable within a period of 15 to 20 days. In view of this, the matter is adjourned to 20th August, 1998. It is hereby clarified that, this order is passed by way of interim arrangement. Direct service permitted".

Nobody is present on behalf of the petitioner to state whether the appeal, as directed by this court has been decided by the respondent No.4 or not. Though AGP is present, he is not in a position to make any affirmative statement either way in this respect. The Special Civil Application is disposed of in terms that in case the appeal as directed by this court has not been decided so far the same shall be decided within a period of one month from the date of the receipt of the writ of this order.

Rule and Special Civil Application stand disposed of accordingly. Interim relief, if any, granted earlier stands vacated. No order as to costs. However, liberty is granted to the petitioner for revival of the Special Civil Application in case of any difficulty.

(S.K.Keshote, J.)

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